



#13/287/
response
8-7-03

Attorney Docket SEL 132 DIV 1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of)
Yamazaki et al.)
Serial No.: 10/005,435)
Filed: December 3, 2001)
For: Electrooptical Display Device)
Art Unit: 2871)
Examiner: Z. Qi)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:
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July 21, 2003
(Date of Deposit)

Shannon Wallace

Name of applicant, assignee, or Registered Rep.

Shannon Wallace 7/21/03
Signature Date

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

RESPONSE D

Sir:

Applicants have the following response to the Office Action of April 21, 2003 to the above-identified application.

In the Office Action, the Examiner rejects Claims 36-83 under the judicially created doctrine of obviousness-type double patenting over claims 1-81 of U.S. Patent 6,384,886 in view of U.S. Patent 6,372,558 (Yamanaka et al.). This rejection is respectfully traversed.

As explained in the prior response, each of the independent claims pending in this application includes the limitation of "forming a body with a textured surface on the pixel electrode by a photolithography". The claims of the '886 patent do not recite such a limitation.

The Examiner now cites Yamanaka and contends that the above limitation "would have been obvious in view of" Yamanaka. Yamanaka, however, is not prior art to present application.

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More specifically, the present application is a divisional of USSN 09/329,597 which was filed June 10, 1999 and for which the present application is entitled to the benefit of under 35 USC §120. The '597 application claims the benefit of Japanese application 10-165723 filed on June 12, 1998 in Japan. Therefore, the present application is also entitled to the benefit of the June 12, 1998 filing date under 35 USC §119.

In contrast, Yamanaka has a U.S. filing date of August 18, 1999. This is after the June 10, 1999 U.S. filing date of this application's parent filing date, and well after the '597 application's foreign priority date. As the present application is entitled to the benefit of both of these dates, Yamanada is not prior art to the present application, and the rejection based thereon should be withdrawn.

Accordingly, this application is in a condition for allowance and should be allowed.

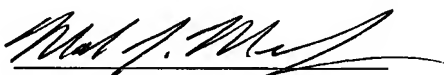
Please charge our deposit account 50/1039 for any further fee due for this amendment.

Favorable reconsideration is earnestly solicited.

Respectfully submitted,

Date:

July 21, 2003



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